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COMMISSION OF THE EUROPEAN COMMUNITIES

COM(78) 706 final.

Brussels, 8 December 1978

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Proposal for a
COUNCIL REGULATION (EEC)
amending Regulation (EEC) No 1358/77 laying down general rules
for offsetting storage costs for sugar

(submitted to the Council by the Commission)

COM(78) 706 final.

Explanatory Memorandum

It is specified in Council Regulation (EEC) No 1358/77 of 20 June 1977, laying down general rules for offsetting storage costs for sugar, that a levy is to be collected on quantities of sugar produced within the limit of the maximum quotas and sold. Thus for raw beet or cane sugar refined into white sugar in a different undertaking from the one it was produced in the levy is due at the moment when it is sold to the second undertaking. A firm, with several factories, which both produces and refines the sugar, pays the levy only when the white sugar is sold. In order to ensure equality of treatment it is necessary to provide that, certain conditions being met, the levy in both cases is collected only when the white sugar is sold.

Proposal

COUNCIL REGULATION (EEC)

amending Regulation (EEC) No 1358/77 laying down
general rules for offsetting storage costs for sugar

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Regulation (EEC) No 3330/74 of 19 December 1974 on the common organisation of the market in sugar (1), as last amended by Regulation (EEC) No 1396/78 (2), and in particular Article 8 (3) (a) thereof,

Having regard to the proposal from the Commission,

Whereas it is provided in (a) of the third subparagraph of Article 8 (1) of Regulation (EEC) No 3330/74 that a levy shall be charged to offset the storage costs for sugar and certain syrups produced from beet and cane harvested in the Community;

Whereas it is specified in Article 6 (4) of Council Regulation (EEC) No 1358/77 (3), as amended by Regulation (EEC) No 1397/78 (4), that the levy shall be collected from manufacturers on the quantities of white and raw sugar and syrups sold;

Whereas the levy is due in general at the moment when the sugar is sold for consumption; whereas this principle should as far as possible be applied in cases when raw sugar produced by one undertaking is subsequently refined by another,

HAS ADOPTED THIS REGULATION:

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- (1) OJ No L 359, 31.12.1974, p.1
 - (2) OJ No L 170, 27.6.1978, p.1
 - (3) OJ No L 156, 25.6.1978, p.4
 - (4) OJ No L 170, 27.6.1978, p.3

Article 1

The following subparagraph is added to Article 6 (4) of Regulation (EEC) No 1358/77:

" By way of derogation from the preceding subparagraph, when raw sugar produced by an undertaking in a Member State is refined into white sugar by another undertaking in the same Member State, then that Member State shall collect the levy from the latter undertaking when the sugar is sold."

Article 2

This Regulation shall enter into force on the third day following its publication in the Official Journal of the European Communities.

It shall apply only in cases where the levy was not already due.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Council

FINANCIAL STATEMENT

DATE : 30.11.1978

1. BUDGET LINE CONCERNED : Chapter 11 of the Budget

CREDITS :

2. ACTION : Proposal of Council Regulation supplementing Regulation (EEC) N° 1358/77 laying down general rules for offsetting storage costs for sugar.

3. LEGAL BASIS : Article 8(3) (a) of Regulation (EEC) N° 3330/74

4. OBJECTIVES : To avoid different treatment of producers where raw sugar is marketed for the purpose of being refined.

5. FINANCIAL CONSEQUENCE	PERIOD OF 12 MONTHS	CURRENT FINANCIAL YEAR (78)	FOLLOWING FINANCIAL YEAR (79)
5.0 EXPENDITURE			
-CHARGED TO THE EC BUDGET (REFUNDS/INTERVENTIONS)	-	-	-
-CHARGED TO NATIONAL ADMINSTR.	-	-	-
-CHARGED TO OTHER NATIONAL GROUPS	-	-	-
5.1 RECEIPTS			
-OWN RESOURCES OF THE EC (LEVIES/CUSTOMS DUTIES)	0	0	0
-NATIONAL	-	-	-

YEAR YEAR YEAR

5.0.1 PLURIANNUAL PATTERN OF EXPENDITURE

5.1.1 PLURIANNUAL PATTERN OF RECEIPTS

N.A.

5.2 METHOD OF CALCULATION

N.A.

6.0 FINANCING POSSIBLE WITH CREDITS INSCRIBED IN RELEVANT CHAPTER OF CURRENT BUDGET ?

YES/NO

6.1 FINANCING POSSIBLE BY TRANSFER BETWEEN CHAPTERS OF CURRENT BUDGET ?

YES/NO

6.2 NECESSITY FOR A SUPPLEMENTARY BUDGET ?

YES/NO

6.3 CREDITS TO BE WRITTEN INTO FUTURE BUDGETS ?

YES/NO

COMMENTS : About 2 months of postponement for the collection of storage levy.
This measure regards a maximum quantity of 500.000 tonnes of raw sugar.